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STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

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Analysis of Enrolled Senate Bill 115

Topic: Joint Planning and Zoning
Sponsor: Senator Birkholz
Co-Sponsors: Senators Hardiman, Brater, and Gilbert
Committee: Senate Natural Resources and Environmental Affairs
House Intergovernmental, Regional and Urban Affairs

Date Introduced: January 30, 2007

Date Enrolled: May 6, 2008

Date of Analysis: April 30, 2008

Position: The Department of Labor & Economic Growth supports the bill.

Problem/Background: The Joint Municipal Planning Act permits one or more cities, villages, or townships (but not counties) to create a joint planning commission to engage in joint planning and zoning activities. This 2003 statute implemented one of the recommendations of Governor Granholm's Land Use Leadership Council. Since that time the Legislature has acted on two other Land Use Leadership Council recommendations, zoning law consolidation and planning law consolidation, that are relevant to the work of joint planning commissions.

Description of Bill: The bill amends the Joint Municipal Planning Act. Technical amendments are made to reflect recent consolidation of the zoning and planning laws. Substantive changes include allowing for the phased transfer of the powers and duties of existing planning commissions, zoning boards, or zoning commissions to the joint planning commission and explicitly permitting adoption of a joint zoning ordinance by the participating municipalities.

Summary of Arguments

Pro: The bill will encourage greater use of the Joint Municipal Planning Act by permitting a phased transfer of planning and zoning functions to the joint planning commission. Local officials will now have the option of making the transition of planning and zoning functions to the joint commission in a gradual and orderly manner. Local officials and citizens who might be otherwise concerned about loss of local control will have an opportunity to observe the joint commission while retaining some functions in the short term.

Recent legislative action consolidating the zoning and planning laws makes this bill essential.

Con: Phased transfer of powers may lead to unnecessary redundancy in the execution of planning and zoning functions. The joint planning commission's effectiveness may be undermined by the retention of some powers by the participating municipalities.

Fiscal/Economic Impact

Budgetary: The bill will have no impact on the state or department budget.

Revenue: The bill will have no impact on state or department revenues.

Comments:**(a) Local Government**

Comments: The bill will not increase costs or expand local government responsibilities.

Other State Departments: No other state departments are affected by this bill.

Any Other Pertinent Information: The bill is supported by the Michigan Townships Association, the Michigan Municipal League, and the Michigan Chapter of the American Planning Association.

This section could include general comment on previous or similar bill introductions or similar bills/statutes in other states. This space should also be used to identify supporters and opponents.

Administrative Rules Impact: There is no rulemaking authority associated with this statute.